1st Councilmanic District

Stephen Thomas Fox, et al Petitioners

* OF BALTIMORE COUNTY * Case No. 93-200-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance from Section 1B02.3.C.1a of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback on a corner lot of 2 ft., in lieu of the minimum required 25 ft., for enclosure of an existing porch, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT, IS ORDERED by the Zoning Commissioner for Baltimore County this day of January, 1993 that the Petition for a Variance from Section 1B02.3.C.1a of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback on a corner lot of 2 ft., in lieu of the minimum required 25 ft., for enclosure of an existing porch, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > -2-

Zoning Commissioner for Baltimore County Baltimore County Government Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 22, 1993

Mr. Stephen Thomas Fox Ms. Mary Catherine Wilson 1930 Englewood Avenue Baltimore, Maryland 21207

> RE: Petition for Administrative Variance Case No. 93-200-A 1930 Englewood Avenue

Dear Mr. Fox and Ms. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

Zoning Administration & Development Management

Date 12-18-92

Fox Wilson Property

1930 Englewood Ave.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 1930 ENGIE Wood AVE. (21207)
which is presently send 125.5 This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached The undersigned, legal owner(s) of the property should in the proper To allow a side yare setback on a corner lot of 2 ft in lieu of the minimum required 25 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or EXISTING PORCH IS THE ONLY AREA (FINANCIALY & POSSIBLY) THAT WE CAN ENCLOSE TO LOCATE A WIRL DOOL, PURCHUSED FOR HUT WATER THEROPY REQUIRED BY DOCTOR Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm under the penalties of penjury that I/we are the legal owner(s) of the property which is the subject of this Petroon (Type or Print Name) Signature

ITEM #: _2//___

93-200-A

Tourien, Maryland	
letrict_Ind	Date of Posting 13/39/92
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marks: sted by MARales	Date of meture: 13-131/92

Administrative - Residential Variance.

Zoning Description 1930 Englewood Ave,

Beginning at a point on the SW corner of Englewood Are and Kriel St. Being lot No. 402, Plat 5 in the Subdivision of Broadacres as recorded in Baltimore County Plat Book 5 folio 44 containing 6,720 sq. At. Also Known as 1930 Englewood Ave and located in the 2nd Elect. -ion District.

Affidavit in support of Administration Administrative Variance

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 1930 Englawood House

EXISTING PORCH IS THE ONLY AREA THAT WE CAN ENCLOSE, TO LOCATE A WIRE POOL PURCHASED FOR WATER THEROPY REGULAED BY DOCTOR

I HEREBY CERTIFY, this 15th day of <u>December</u>, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephen Thomas Fox & Many Catherine Wilson

12-15-92

LES/mmn

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 2120+

January 6, 1993

(410) 887-3353

01/04/93

Meeting Date

12-28-92

Mr. Stephen Thomas Fox Ms. Mary Catherine Wilson 1930 Englewood Avenue Baltimore, MD 21207

> RE: Case No. 93-200-A, Item No. 211 Petitioner: Stephen Thomas Fox, et al Petition for Administrative Variance

Dear Mr. Fox and Ms. Wilson:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

ED DEPRM RP SIP 1E

Waiver Number

Thomas Booth, Louis and Elmer Morsberger

Walter Dempsey Lee and Carolyn Shaw

Wyaness Associates Limited Partnership

Michael J. and Bonnie Conner

James G. and Pamela J. Miller

Pickersgill, Inc.

DED DEPRM RP STP TE

COUNT 10

Sarkis G. and Susan T. Aghazarian

Stephen Thomas Fox and Mary Catherine Wilson

ZON DED TE (Waiting for developer to submit plans first)

Stonegate at Patapsco (Azreal Property)

Zoning Issue

Printed on Recycled Paper

DPW/Traffic Engineering

Project Name

DED DEPRM RP STP TE

DED DEPRM RP STP TE

Charles A. Wagandt

File Number

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this

Baltimore County Government

Office of Zoning Administration and Development Management

Petitioner: Stephen Thomas Fox, et al Petitioner's Attorney:

18th day of December 1992.

Printed on Recycled Paper

Fire Department

700 East Joppa Road Suite 901 Towson, MD 21286-5500

DECEMBER 28, 1992

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: STEPHEN THOMAS FOX AND MARY CATHERINE WILSON #1930 ENGLEWOOD AVENUE Location:

Item No.: *2**/**1(JJS)

Gentlemen:

Zoning Agenda: DECEMBER 28, 1992

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Planning Group Special Inspection Division

JP/KEK

93-200-A 1-19-93

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and

DATE: January 5, 1993

Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

Petitions from Zoning Advisory Committee (December 28, 1992)

The Office of Planning and Zoning has no comments on the following petitions:

Charles Wagandt, Item No. 203 Walter and Carolyn Shaw, Item No. 204 Michael and Bonnie Conner, Item No. 207 James and Pamela Miller, Item No. 209 Sarkis and Susan Aghazarian, Item No. 210 Stephen and Mary Catherine Fox, Item No. 211

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: Juanices Income.

Division Chief: Caylellan

PK/FM:rdn

ITM20479.ZAC/ZAC1

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

Zoning Advisory Committee Meeting

the subject zoning item. The site distances from

FROM: Robert W. Bowling, P.E.

Item No. 211

Bureau of Traffic Engineering.

RWB: B

for January 4, 1993

TO: Arnold Jablon, Director DATE: December 31, 1992

Zoning Administration and Development Management

The Developers Engineering Division has reviewed

Developers Engineering Division

Englewood Avenue to Kriel Street must be checked by the

111 West Chesapeake Avenue Towson, MD 21204

Rec'd 1/4/93

Stephen Thomas Fox and Mary Catherine Wilson 1930 Englewood Avenue Baltimore, Maryland 21207

Re: CASE NUMBER: 93-200-A LOCATION: SMC Englewood Avenue and Kriel Street 1930 Englewood Avenue 2nd Election District - 1st Councilmani

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 3, 1993. The closing date (January 19, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the mign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Armold Jablon

40' 26.6 1/2 3 DRY Y BETCH ENGE D. · # 1752 ELSTICE FROM LARRY & TORI LUSK SECON 2nd CONC. DIST 1ST 40'R/W No Prior hearings

